



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

August 16, 1994

Mr. Charles E. Griffith, III
Deputy City Attorney
City of Austin
P.O. Box 1088
Austin, Texas 78767-8828

OR94-437

Dear Mr. Griffith:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 25143.

The City of Austin Police Department has received a request for all records held by the department pertaining to a certain closed murder investigation. You argue that, of the requested material, the department must withhold information therein acquired from polygraph examinations. You cite section 552.101 of the act in conjunction with V.T.C.S. article 4413(29cc), section 19A. Section 552.101 requires withholding information made confidential by law. Article 4413(29cc), section 19A prohibits the release of information acquired from polygraph examinations with exceptions which do not appear to apply here. Having reviewed the information at issue we agree that you must withhold it from the requestor here pursuant to the above-mentioned provisions.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please contact this office.

Yours very truly,

A handwritten signature in black ink, appearing to read "William Walker", is written over a horizontal line.

William Walker
Assistant Attorney General
Open Government Section

WMW/MAR/rho

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Enclosures: Submitted documents

cc: Mr. Pat Pattison
1143 Airport Boulevard
Austin, Texas 78702
(w/o enclosures)